



DELAWARE COUNTY OFFICE
20 WEST THIRD STREET
P.O. Box 1670
MEDIA, PA 19063
VOICE 610.627.9777
FAX 610.627.9787

ONE LIBERTY PLACE, 52ND FLOOR
1650 MARKET STREET
PHILADELPHIA, PA 19103
VOICE 215.496.8282
FAX 215.496.0999

NEW JERSEY OFFICE
8000 SAGEMORE DRIVE
SUITE 8303
MARLTON, NJ 08053
VOICE 856.751.8383
FAX 856.751.0868

ROBERT W. ZIMMERMAN
215-606-3898
RZIMMERMAN@SMBB.COM

MONTGOMERY COUNTY OFFICE
120 GIBALTAR RD
SUITE 218
HORSHAM, PA 19044
VOICE 215.496.8282
FAX 215.754.4443

December 4, 2024

Via Electronic Filing & Electronic Mail

The Honorable Judge Patti B. Saris
1 Courthouse Way, Suite 2300
Boston, Massachusetts 02210

**RE: Ashley Catatao v. Sig Sauer Inc.
Civil Action No.: 1:22-cv-10620-PBS**

Dear Judge Saris,

Our office represents the Plaintiff, Ashley Catatao, in the above referenced action. We submit this letter on behalf of both parties to jointly request a continuance of the trial in this matter, currently scheduled for January 13, 2025. The request is made for good cause. The reasons are outlined below. The parties will make themselves available at any time that is convenient for the Court to discuss this request.

The parties worked diligently in this matter to complete discovery, the exchange of expert reports, and pre-trial motions. The attorneys handling this matter are the same attorneys handling several Sig Sauer P320 incidents/lawsuits throughout the country. The attorneys have tried two cases to verdict in the last six months, with additional trials including the Catatao matter scheduled.

At the outset of this pattern litigation, the parties agreed that depositions taken in one matter could be used in all matters. This firm took the corporate designee deposition of Sean Toner, an engineer at Sig Sauer, in previous matters, as well as the designee deposition of Chris Meyers, pursuant to corporate designee notices specifying certain topics in those matters (engineering and other incidents). This firm did not seek a corporate designee deposition in the Catatao matter, intending to rely on the prior corporate designee depositions of Sean Toner at trial. Sig Sauer does not dispute that the corporate designee deposition can be used in this matter,

Page 2
December 4, 2024

but has indicated it intends to bring a different corporate designee to trial to testify on engineering and other matters in its case-in-chief.

Following the Abrahams v. Sig Sauer trial, on November 20, 2024, counsel for Sig Sauer informed Plaintiff's counsel that it intended to call three witnesses as its corporate designees in the Catatao trial. Sig intends to call Tom Taylor, Sig's former Chief Marketing Officer, to testify on areas on marketing, and Matt Farkas, Sig's Director of Law Enforcement Sales, to testify as a designee in the area of law enforcement sales and service. Matt Taylor is intended to testify as a designee regarding engineering. This firm has previously conducted a discovery deposition of Matt Farkas and Matt Taylor on certain limited topics, but not as corporate designees.

Counsel for Sig Sauer has offered to produce these witness for deposition as designees in December, and to allow plaintiff's experts to review their testimony and supplement their expert reports, without which Plaintiff would be prejudiced. Plaintiff's counsel would not object to two of those three individuals testifying as designees, and the third testifying as a fact witness, provided that Plaintiff's counsel has sufficient time to conduct these depositions, have Plaintiff's experts review the testimony and provide supplemental reports.

Given the recent conclusion of the Abrahams v. Sig Sauer trial, which was held from October 24, 2024 through November 20, 2024, Plaintiff's counsel's unavailability to conduct these depositions in December, and Plaintiff's desire to have her experts review the testimony and supplement expert reports, the parties jointly request a trial continuance until late April or May to allow the parties to adequately prepare for trial. The continuance will also allow the parties to use the January dates to conduct these depositions, to meet and confer on the issues pertaining to one of the three designees identified, and to identify any other issues that can streamline the trial schedule.

Additionally, the parties note that if trial will only be held from 9:00 a.m. to 1:00 p.m., as the parties were informed this morning, the trial is expected to double in length from the previously estimated 7-10 trial days to 14-20 trial days.

Thank you for Your Honor's consideration of this request, and we are available to discuss at the Court's request.

Respectfully submitted,

SALTZ MONGELUZZI BENDESKY

Page 3
December 4, 2024

/s/Robert W. Zimmerman
ROBERT W. ZIMMERMAN

Counsel for Plaintiff, Ashley Catatao